

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Argelio Chavero
A202 085 210
United States

YOB:

PRINCIPAL
1972United States District Court
Southern District of Texas
FILED

Case Number:

M-14-2098-M

OCT 30 2014

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 29, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowingly and intentionally conspire and agree with persons to transport Jose De Jesus Trujillo-Hernandez, a citizen and national of Mexico, along with five (5) other undocumented aliens, for a total of six (6) who entered the United States in violation of law, in furtherance of such violation of law, that is from a location near Mission, Texas to the point of arrest near San Manuel, Texas, by means of a motor vehicle.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(v)(I) ^{DL} FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 29, 2014, at approximately 12:30 am, Border Patrol Agent H. Ventura was working Highway 281 and noticed a blue Chevrolet Lumina travelling northbound. As the Lumina passed his location, it appeared to the agent that the rear of the vehicle was riding low, a possible indicator of smuggling activity. The agent followed in behind the Lumina for a closer look.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Sworn to before me and subscribed in my presence,

October 30, 2014

Date

at McAllen, Texas
City and StateDorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial OfficerDerek Conrow Senior Patrol Agent
Printed Name of Complainant

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-2098-M

RE: Argelio Chavero

A202 085 210

CONTINUATION:

As he did this, a maroon Ford Expedition accelerated from behind the agent's marked unit and overtook the agent. The driver of the Ford Expedition then swerved from his lane into the lane of traffic the agent was using to follow the Lumina, causing the agent to slow down drastically in order to avoid a collision. The driver, later identified as Argelio CHAVERO, a USC, then drove the Expedition down the middle of the highway, straddling both northbound lanes, in an attempt to interfere with the agent's ability to look at or stop the Lumina. Agent Ventura activated his emergency equipment to signal his right of way, in order to continue looking at the Lumina.

Agent Ventura began to overtake the Expedition at one point, and as he did, CHAVERO again swerved towards the agent's vehicle, almost causing a collision. The Expedition then immediately pulled over to the shoulder of the highway and came to a stop.

The Lumina, however, crossed the median of Highway 281, crossed southbound traffic, and continued west, crashing through a ranch gate. After breaking through the gate, the Lumina continued driving through the ranch. Agents eventually found the Lumina apparently abandoned. After searching the vehicle however, agents found three subjects in the trunk of the Lumina. All three subjects admitted to being illegally in the United States.

Agents found foot sign leading north from the Lumina and followed it. After following the sign, and with the help National Guard air support (Liberty), agents apprehended 3 additional undocumented aliens. The driver of the Lumina was not located.

Agents determined CHAVERO, the driver of the Expedition, was a USC, and read him his rights. Agents questioned him about his involvement with the Lumina, and he told the agents he did not know what he was doing. He then blurted out "I don't know who they were, and I just met them at the store on FM 107, and they told me to follow them". CHAVERO then acknowledged that he did see the agent's emergency lights behind him, but did not yield the right of way.

CHAVERO was issued a citation by HCCO Sergeant A. Moreno, for failure to maintain lane.

NOTE: On January 12, 2012, CHAVERO was convicted of Possession with Intent to Distribute 14.36 Kilograms of Marijuana, and was sentenced to 24 months confinement and 3 years SRT. His SRT expires on July 31, 2016.

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PRINCIPAL'S STATEMENT:

Once at the Border Patrol Station, Argelio CHAVERO refused to make any more statements without the presence of an attorney, and all questioning stopped.

MATERIAL WITNESS'S STATEMENT:

Jose De Jesus Trujillo-Hernandez was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

Trujillo stated he was charged \$4,500 (USD) to be smuggled from Mexico to Houston, Texas. From the river, the group he crossed with was led to an apartment, where he spent the day. The smugglers then transferred him from that house to another house in Mission. Trujillo told agents he was moved from one house to another with a blanket placed over his head, so he could not see the people transferring him or the vehicle they were using. He also stated he knows he was transferred to a house in Mission, because he overheard the driver who picked him up, say they were heading to Mission. At the house in Mission, a woman would occasionally stop in and check on the aliens staying there. Trujillo stated he could hear that woman, through the walls, talking to a man. On the night he was arrested, a man arrived at the house and put Trujillo in the trunk of the Lumina. Trujillo stated the man had a unique voice and recognized it as the same voice he heard through the walls, speaking to the woman. Trujillo also identified CHAVERO in photo lineup as the man who put him in the trunk of the Lumina, and as the man he overheard while he was at the house.